

March 4, 2024

Honorable Judge Glenn,

I opened my Celsius account in the name of my self-directed IRA LLC. As you are aware, single-member or husband/wife LLCs are flow through entities that are disregarded for tax purposes and don't offer asset protection. In the case of IRAs, it is common practice to form such entities so that alternate assets can be purchased and third parties provide custodial services as required by law. In substance, this is no different than me having a Charles Schwab account in my name, except, traditional custodians do not allow crypto assets and/or real estate to be held in IRA accounts. So, I am at a loss to understand why such LLCs and trusts are placed in the same bucket as subchapter C corporations. This being the case, I was told by the Administrator that my distributions are to be made in USD. I have the following questions to the Court.

1. What is the rationale that corporate entities are treated differently than individual accounts? This creates first-class, and second-class creditors. Corporate second-class creditors get a USD value derived from the past. Their value is frozen in time and predetermined by fiat currency. Individual first-class creditors, on the other hand, get a percentage of their crypto back, which can be exchanged to USD at the time of one's choosing, potentially at a much higher USD amount. Our claims are exactly the same, we have been wronged the same way except our distribution amounts are potentially vastly different. Can you please explain why this is just? Why was this differentiation necessary?
2. Kroll, the BlockFi administrator, settled the distributions by allowing transfer of crypto assets from BlockFi wallets to whichever wallet the creditor wished. USD distributions were made through Zelle, electronically. Why can't we do the same?
 - a. Why is the Court dictating that Coinbase and PayPal be used? I have an account that I painstakingly went through KYC verification to open at another trustworthy crypto exchange, Kraken. Creditors are having problems with the present distribution system. It would have been so much easier to allow individual creditors to transfer their own diminished wallets at their own risk.
 - b. Why are the USD distributions of a 21st century asset made through 20th century means? Through a check mailed to the creditor? What happens if the mail gets lost or stolen? What is the creditor's remedy for that? Can you imagine someone in Australia waiting for the mail to arrive from the US? How long will this take? It is cruel, unjust, and makes no sense. Most banks in the US use Zelle. and outside the US, IBAN identifier numbers or SWIFT numbers are the norm. Why didn't the Court solicit an electronic source from each creditor, under penalties of perjury, and use that same electronic means to send their money? It would have been secure and efficient to receive the funds, if this was the Court's decision, electronically and be done.

It has been heart-wrenching to hear about suicides while investors' assets continue to leak through millions paid to management and service providers. I appreciate that this has been a difficult Chapter 11 case. It has taken too long and been too painful a process to bungle the final distributions. I am pleading with you to consider these points and do right by all creditors. We have been harmed enough!

Sincerely,
NTulmen RD LLC
Noyan Tulmen, Managing Member